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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	09/505,031	KRAEMER ET AL.
Office Action Summary	Examiner	Art Unit
	Clement B. Graham	3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *7/28/06*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-45* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-45 are remained pending.

2.   The finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 112

3   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4.   Claims 1, 11, 21, 31, 41-42, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, Claims 1, 11, 21, 31, 41-42, recites ["teach summing by the data processing system, a total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months" summing by the data processing system, a total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months"].

However this language fails to distinctly claim Applicant's invention because the scope of the claims is unclear "how a total monthly credit cards debt for all cards issued for one month period, can be summed for each predetermined months------?. . Moreover the specification fails to clarify, the meaning of the limitation. Appropriate correction is required.

In particular, Claim 1, 11, 44 recites in the preamble [" system implemented method"].

However this language fails to distinctly claim Applicant's invention because the scope of the claim is unclear "whether these claims are system or method claims. Moreover the specification fails to clarify, the meaning of the limitation. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-45, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lent et al (Hereinafter Lent US Patent No 6,405, 181) in view of Walker et al (Hereinafter Walker US Patent No 6,088, 686).

As per claims 1-10, Lent discloses a data processing system implemented method for identifying teaser surfers, the method comprising:

receiving, by the data processing system, a credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach summing by the data processing system, a total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months summing by the data processing system, a total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months;

calculating, by the data processing system, a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount

of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of summing by the data processing system, a total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months summing by the data processing system, a total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months; calculating, by the data processing system, a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report. Further this would be an attempt to automate a known system.

Lent fail to explicitly teach comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt.

However Walker discloses a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant,

using said first data to identify on a real time basis a relationship profile with said

applicant, said relationship profile being based upon an amount of assets and liabilities

said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at

least one credit bureau using said first set of data, comparing said credit reports against

a minimum disaster policy criteria, assigning a disaster response code to said first set

of data, preparing a debt burden value based upon said credit report and said first set of

data, and comparing said debt burden value against a debt burden table

parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and

column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9

lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of Lent to include comparing, by the data

processing system, the average percentage of new credit card debt to total credit card

debt to a preset cutoff average percentage of new credit card debt to total credit card

debt; and issuing, by the data processing system, a credit card to the creditor based on

the comparison of the average new credit card debt to total credit card debt to a preset

cutoff average percentage of new credit card debt to total credit card debt taught by

Walker in order to determine whether credit cards should be issued or not.

As per claims 11-20, Lent discloses a data processing system implemented

method for identifying teaser surfers, the method comprising:

receiving, by the data processing system, a credit history data for a creditor(see column

4 lines 18-47).

Lent fail to explicitly teach summing, by the data processing system, a total

monthly relatively new credit card debt for all relatively new credit cards issued to the

creditor for a one month period, wherein the total monthly relatively new credit card debt

is summed for each of the predetermined number of months calculating, by the data

processing system, a monthly percentage of relatively new credit card debt to total

credit card debt for a one month period, wherein the monthly percentage of relatively

new credit card debt to total credit card debt is calculated for each of the predetermined

number of months calculating, comparing by the data processing system, an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of summing, by the data processing system, a total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed for each of the predetermined number of months calculating, by the data processing system, a monthly percentage of relatively new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months; in order to determine whether credit cards should be issued.

Lent fail to explicitly teach comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of the average

new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt.

However Walker discloses a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, comprising:

receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant, using said first data to identify on a real time basis a relationship profile with said applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include comparing, by the data processing system, the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt taught by Walker in order to determine whether credit cards should be issued or not.

As per claims 21-30, Lent discloses a data processing system for identifying teaser surfers, comprising:
receiving means of the data processing system for receiving credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach summing means of the data processing system for summing total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of. a predetermined number of months, summing means of the data processing system for summing total monthly new credit card debt for all relatively new credit cards issued to the creditor. for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months calculating means of the data processing system for calculating a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating means of the data processing system for calculating an average percentage of new credit card debt to total credit card debt over the predetermined number of months.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions summing means of the data processing system for summing total monthly

credit card debt for all credit cards issued to the creditor for a one month period,
wherein the total monthly credit card debt is summed for each of. a predetermined
number of months, summing means of the data processing system for summing total
monthly new credit card debt for all relatively new credit cards issued to the creditor. for
a one month period, wherein the total monthly new credit card debt is summed for each
of the predetermined number of months calculating means of the data processing
system for calculating a monthly percentage of new credit card debt to total credit card
debt for a one month period, wherein the monthly percentage of. new credit card debt to
total credit card debt is calculated for each of the predetermined number of months
calculating means of the data processing system for calculating an average percentage
of new credit card debt to total credit card debt over the predetermined number of
months.

Lent fail to explicitly teach comparing means of the data processing system for
comparing the average percentage of new credit card debt to total credit card debt to a
preset cutoff: average percentage of new credit card debt to total credit card debt and
issuing means of the data processing system for issuing a credit card to the creditor
based on the comparison of new credit card debt to total credit card debt to a preset
cutoff average percentage o£ new credit card debt to total credit card debt.

However Walker discloses a method for performing an automatic on-line review of an
applicant's application for a product or service offered by a financial institution, in real-
time, comprising:

receiving a first set of data into a data processing and communication system, said data
relating to information provided by said applicant;

 receiving a second set of data into said data processing and communication system,
said second set of data relating to the product or service requested by said applicant,
using said first data to identify on a real time basis a relationship profile with said
 applicant, said relationship profile being based upon an amount of assets and liabilities
said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at
least one credit bureau using said first set of data, comparing said credit reports against

a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include comparing means of the data processing system for comparing the average percentage of new credit card debt to total credit card debt to a preset cutoff: average percentage of new credit card debt to total credit card debt and issuing means of the data processing system for issuing a credit card to the creditor based on the comparison of new credit card debt to total credit card debt to a preset cutoff average percentage o£ new credit card debt to total credit card debt taught by Walker in order to determine whether credit cards should be issued or not.

As per claims 31-36, Lent discloses a data processing system for identifying teaser surfers: the data processing system comprising receiving means for receiving credit history data for a creditor the data processing system comprising (see column 4 lines 18-47).

Lent fail to explicitly teach summing means for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed .for each of the predetermined number of months the data processing system comprising calculating means for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the data processing system comprising calculating means for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the data processing system comprising.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of summing means for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed .for each of the predetermined number of months the data processing system comprising calculating means for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the data processing system comprising calculating means for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the data processing system comprising. Lent fail to explicitly teach comparing means for comparing the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and the data processing system comprising issuing means for issuing a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt.

However Walker discloses a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, comprising:

receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant, using said first data to identify on a real time basis a relationship profile with said applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include comparing means for comparing the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and

the data processing system comprising issuing means for issuing a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt taught by Walker in order to determine whether credit cards should be issued or not.

As per claims 37-40, Lent discloses a data processing system for identifying teaser surfers: the data processing system comprising receiving means for receiving credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach comparing means for comparing an amount of new credit card debt to a total amount of credit card debt; and issuing means for issuing a credit card to the creditor based on the comparison of the amount of. new credit card debt to the total amount of credit card debt.

However Walker discloses a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, comprising:

receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant, using said first data to identify on a real time basis a relationship profile with said applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include comparing means for comparing an amount of new credit card debt to a total amount of credit card debt; and issuing means for issuing a credit card to the creditor based on the comparison of the

amount of. new credit card debt to the total amount of credit card de taught by Walker in order to determine whether credit cards should be issued or not.

As per claim 41, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers: the computer program product comprising receiving instructions for receiving credit history data for a creditor the computer program product comprising creditor (see column 4 lines 18-47).

Lent fail to explicitly teach summing instructions for summing total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months the computer program product comprising summing instructions for summing total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months the computer program product comprising calculating instructions for calculating a monthly percentage of new credit card debt to total credit card debt for a one mouth period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of, the predetermined number of months the computer program, product comprising calculating instructions for calculating an average percentage of new credit card debt to total credit card debt over the predetermined number of months the computer program product comprising.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the
invention was made that the teachings of Lent could have been adapted to perform
the functions of summing instructions for summing total monthly credit card debt for all
credit cards issued to the creditor for a one month period, wherein the total monthly
credit card debt is summed for each of a predetermined number of months the
computer program product comprising summing instructions for summing total monthly
new credit card debt for all new credit cards issued to the creditor for a one month
period, wherein the total monthly new credit card debt is summed for each of the
predetermined number of months the computer program product comprising calculating
instructions for calculating a monthly percentage of new credit card debt to total credit
card debt for a one mouth period, wherein the monthly percentage of new credit card
debt to total credit card debt is calculated for each of, the predetermined number of
months the computer program, product comprising calculating instructions for
calculating an average percentage of new credit card debt to total credit card debt over
the predetermined number of months the computer program product comprising.
Lent fail to explicitly teach comparing instructions for comparing the average percentage
of new credit card debt to total credit card debt to a preset cutoff average percentage of
new credit card debt to total credit card debt; and the computer program product
comprising issuing instructions for issuing a credit card to the creditor based on the
comparison of the average new credit card debt to total credit card debt to a preset
cutoff average percentage of new credit card debt to total credit card debt.
However Walker discloses a method for performing an automatic on-line review of an
applicant's application for a product or service offered by a financial institution, in real-
time, comprising:
receiving a first set of data into a data processing and communication system, said data
relating to information provided by said applicant;
 receiving a second set of data into said data processing and communication system,
said second set of data relating to the product or service requested by said applicant,
using said first data to identify on a real time basis a relationship profile with said

applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include comparing instructions for comparing the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and the computer program product comprising issuing instructions for issuing a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt taught by Walker in order to determine whether credit cards should be issued or not.

As per claim 42, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers: the computer program product comprising receiving instructions for .receiving credit history data for a creditor the computer program product comprising (see column 4 lines 18-47).

Lent fail to explicitly teach summing instructions for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed for each of the predetermined number of months the computer program product comprising calculating instructions for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month. period, wherein the monthly percentage of

relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the computer program product comprising calculating instructions for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the computer program, product comprising.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions summing instructions for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed for each of the predetermined number of months the computer program product comprising calculating instructions for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month. period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the computer program product comprising calculating instructions for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the computer program, product comprising comparing instructions.

Lent fail to explicitly teach comparing instructions for comparing the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average

percentage of relatively new credit card debt to total credit card debt; and the computer

program product comprising issuing instructions for, issuing a credit card to the creditor

based on the comparison of relatively new credit card debt to total credit card debt to a

preset cutoff average percentage of relatively new credit card debt to total credit card

debt.

However Walker discloses a method for performing an automatic on-line review of an

applicant's application for a product or service offered by a financial institution, in real-

time, comprising:

receiving a first set of data into a data processing and communication system, said data

relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system,

said second set of data relating to the product or service requested by said applicant,

using said first data to identify on a real time basis a relationship profile with said

applicant, said relationship profile being based upon an amount of assets and liabilities

said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at

least one credit bureau using said first set of data, comparing said credit reports against

a minimum disaster policy criteria, assigning a disaster response code to said first set

of data, preparing a debt burden value based upon said credit report and said first set of

data, and comparing said debt burden value against a debt burden table

parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and

column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9

lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the teachings of Lent to comparing instructions for

comparing the average percentage of relatively new credit card debt to total credit card

debt to a preset cutoff average percentage of relatively new credit card debt to total

credit card debt; and the computer program product comprising issuing instructions for,

issuing a credit card to the creditor based on the comparison of relatively new credit

card debt to total credit card debt to a preset cutoff average percentage of relatively new

credit card debt to total credit card debt taught by Walker in order to determine whether credit cards should be issued or not.

As per claim 43, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers: the computer proms product comprising receiving instructions for receiving credit history data for a creditor;

the computer program product comprising(see column 4 lines 18-47).

Lent fail to explicitly teach comparing instructions for comparing an amount of new credit card debt to a total amount of credit card debt, and the computer program product comprising issuing instructions for issuing a credit card to the creditor based on the comparison of the amount of new credit card debt to the total amount of credit card debt.

However Walker discloses a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, comprising:

receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant, using said first data to identify on a real time basis a relationship profile with said applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include comparing instructions for comparing an amount of new credit card debt to a total amount of credit card debt, and the computer program product comprising issuing instructions for issuing a credit card to the creditor based on the comparison of the amount of new credit card debt to the total amount of credit card debt taught by Walker in order to determine whether credit cards should be issued or not.

As per claim 44, Lent discloses a data processing system implemented method for identifying teaser surfers, the method comprising:
receiving by the data processing system a credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach determining by the data processing system if the creditor is a teaser surfer based on the credit history data and rejecting by the data processing system a credit card to the creditor based on the teaser surfer determination.
However Walker discloses a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, comprising:
receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;
 receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant, using said first data to identify on a real time basis a relationship profile with said applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;
performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and

column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include determining by the data processing system if the creditor is a teaser surfer based on the credit history data and rejecting by the data processing system a credit card to the creditor based on the teaser surfer determination taught by Walker in order to determine whether credit cards should be issued or not.

As per claim 45, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers, the computer program product comprising instructions for receiving credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach instructions for determining if the creditor is a teaser surfer based on the credit history data, and instructions for rejecting a credit card to the creditor based on the teaser surfer determination.

Lent fail to explicitly teach determining by the data processing system if the creditor is a teaser surfer based on the credit history data and rejecting by the data processing system a credit card to the creditor based on the teaser surfer determination.

However Walker discloses a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, comprising:

receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant, using said first data to identify on a real time basis a relationship profile with said applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against

a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter.(note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Lent to include determining by the data processing system if the creditor is a teaser surfer based on the credit history data and rejecting by the data processing system a credit card to the creditor based on the teaser surfer determination taught by Walker in order to determine whether credit cards should be issued or not.

Conclusion

Response to Arguments

7.   Applicant's arguments files on 7/28/06 have been fully considered but are moot in view of new grounds of rejections.

8.   In response to Applicant's arguments as it pertains to Lent.

9.   In response to Applicant's arguments that Lent fail to teach or suggest" summing by the data processing system, a total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months summing by the data processing system, a total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months and calculating, by the data processing system, a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months, comparing, by the data processing system, the average percentage of new credit card debt to total

credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt" the Examiner disagrees with Applicant's because these limitations were addressed as stated in a combinations of teachings .

Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account. see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9 and Another component of the offer granted to the applicant that may be varied based on the balance transfer selected is a teaser rate or annual rate. A teaser rate is an interest rate that is temporarily extended to the applicant either on the amount transferred or on the amount transferred and purchases made for a certain period of time. The teaser rate is intended to incent the applicant to transfer a greater balance to a new account In one embodiment, the teaser rate is determined based on the percentage of the applicant's total revolving balance that the applicant elects to transfer. Thus, the amount transferred by the applicant controls not only the applicant's credit limit but also determines a teaser rate extended to the applicant. see column 15 lines 53-65.

Walker teaches a method for performing an automatic on-line review of an applicant's application for a product or service offered by a financial institution, in real-time, receiving a first set of data into a data processing and communication system, said data relating to information provided by said applicant;

receiving a second set of data into said data processing and communication system, said second set of data relating to the product or service requested by said applicant, using said first data to identify on a real time basis a relationship profile with said applicant, said relationship profile being based upon an amount of assets and liabilities said applicant has with the financial institution;

performing a fraud verification on said first set of data, gathering credit reports from at least one credit bureau using said first set of data, comparing said credit reports against a minimum disaster policy criteria, assigning a disaster response code to said first set of data, preparing a debt burden value based upon said credit report and said first set of data, and comparing said debt burden value against a debt burden table parameter note abstract and see column 21 lines 9-23 and column 22 lines 1-2 and column 18 lines 51-56 and column 7 lines 30-50 and column 8 lines 66-67 and column 9 lines 1-17. Therefore it would have been obviously that Applicant's claimed limitations were addressed with the teachings of Lent and Walker.
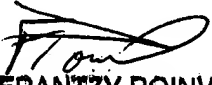
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantzy Poinvil can be reached on 703-305-9779. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

FRANTZY POINVIL
PRIMARY EXAMINER
Au 3692

CG

Aug 15, 2007